

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**DANNY MURRAY,**

**Plaintiff,**

**v.**

**No. 16-cv-0447 JCH/SMV**

**STAFF AT SOUTHWESTERN NEW MEXICO  
CORRECTIONAL FACILITY,  
BOB MIYAGASHEIMA,  
LOUIS HERNANDEZ, K. HODGES,  
FNU VIAZ, FNU SANCHEZ,  
JAMES MULHERON,  
SUSANA MARTINEZ, and GREG MARCANTEL,**

**Defendants.**

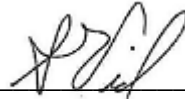
**ORDER GRANTING LEAVE TO PROCEED WITHOUT  
PREPAYMENT OF FEES OR COSTS**

THIS MATTER is before the Court on the Application to Proceed in District Court Without Prepayment of Fees and Costs, [Doc. 6], filed by Plaintiff Danny Murray on May 16, 2016, supplemented with the required six-month inmate account statements, [Doc. 15-1] at 16, 34, on August 5, 2016. Because the Court grants the Application, the filing fee for this civil rights complaint is \$350. Based on the information about Plaintiff's financial status, the Court will waive an initial partial payment pursuant to 28 U.S.C. § 1915(b)(1). Plaintiff is still required to pay the full amount of the filing fee in monthly payments as set out, below, under § 1915(b)(1). Failure to comply with this order may result in dismissal without further notice.

**IT IS ORDERED, ADJUDGED, AND DECREED** that Plaintiff's Application to Proceed in District Court Without Prepayment of Fees and Costs [Doc. 6] is **GRANTED**, and the initial payment is **WAIVED**; and

**IT IS FURTHER ORDERED** that Plaintiff file monthly financial certificates and make monthly payments of 20% of the preceding month's income credited to his account or show cause why the payment should be excused; and the Clerk is directed to provide Plaintiff with two copies of the post-filing financial certificate.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**UNITED STATES MAGISTRATE JUDGE**